IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 5TH DECEMBER 2007 / 14TH AGRAHAYANA 1929

WP(C).No. 28865 of 2007(J)

PETITIONERS:

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1. JOLLY, S/O.LATE M.C.PATHROSE,
GOVERNMENT SERVANT, MALAKKIYIL HOUSE,
PALAKKUZHA KARA, PALAKKUZHA VILLAGE, MUVATTUPUZHA
TALUK, PALAKKUZHA P.O., KOOTHATTUKULAM,
ERNAKULAM DIST,

2. PAUL PETER, S/O.LATE M.C.PATHROSE,
MALAKKIYIL HOUSE, PALAKKUZHA KARA,
PALAKKUZHA VILLAGE, MUVATTUPUZHA TALUK,
PALAKKUZHA P.O., KOOTHATTUKULAM.

3. SAJU, S/O.LATE M.C.PATHROSE,
MALAKKIYIL HOUSE, PALAKKUZHA KARA, PALAKKUZHA
VILLAGE, MUVATTUPUZHA TALUK, PALAKKUZHA P.O.
KOOTHATTUKULAM.

4. BEENA, D/O.LATE M.C.PATHROSE,
MALAKKIYIL HOUSE, PALAKKUZHA KARA,
PALAKKUZHA VILLAGE, MUVATTUPUZHA TALUK,
PALAKKUZHA PO., KOOTHATTUKULAM.

5. MINI, D/O.LATE M.C.PATHROSE,
MALAKKIYIL HOUSE, PALAKKUZHA KARA,
PALAKKUZHA VILLAGE, MUVATTUPUZHA TALUK,
PALAKKUZHA P.O., KOOTHATTUKULAM.

BY ADV. SMT.AYSHA YOUSEFF
SMT.MOLLY JACOB
SMT.RABIA BEEGAM T.K.
SRI.JOBI.A.THAMPI
SMT.T.V.SREEJA
SRI.M.KABANI DINESH

RESPONDENTS:
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1. KOOTHATTUKULAM GRAMA PANCHAYATH,
   REPRESENTED BY ITS SECRETARY,
   KOOTHATTUKULAM, ERNAKULAM.

2. ASSISTANT EXECUTIVE ENGINEER,
   P.W.D.(BUILDINGS), MUVATTUPUZHA.

3. STATE OF KERALA,
   REPRESENTED BY THE DISTRICT COLLECTOR,
   ERNAKULAM.

4. JOSEPH @ RAJU, S/O.ZACHARIA, ARTIST,
   THARAYANIL HOUSE, PUTHUVELIKARA, VELIYANNOOR
   VILLAGE, MEENACHIL TALUK, KOTTAYAM DIST.

5. REBECCA @ GRACY, D/O.ZACHARIA,
   PENSIONER, THARAYANIL HOUSE, PUTHUVELIKARA
   VELIYANNOOR VILLAGE, MEENACHIL TALUK,
   KOTTAYAM DIST.

6. BABY ZACHARIA, S/O.FR.ZACHARIA,
   THARAYANIL HOUSE, PUTHUVELIKKARA,
   VELIYANNOOR VILLAGE, MEENACHIL TALUK,
   KOTTAYAM DIST.

BY ADV. SRI.PEEYUS A.KOTTAM
SRI.P.AYYAPPAN
SRI.T.ANCY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE,J.

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W.P.(C) No.28865 of 2007

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Dated: 5th December, 2007

JUDGMENT

Heard both sides. The question of issuance of a regular licence to the petitioners for the conduct of cinema theatre is now before the statutory authority, namely, the 1st respondent-Panchayat. The 1st respondent-Panchayat is directed to process that application and to take a final decision on that application after hearing petitioners and respondents 4 to 6. It is open to respondents 4 to 6 to file written objections before the Panchayat and also to produce whatever documents which according to them are relevant for taking a correct decision on the licence application. Respondents 4 to 6 also will be heard by the Panchayat on the objections and on the basis of whatever documents they produced. Final decision will be taken by the Panchayat on the regular licence application at the earliest and at any rate within one month of respondents 4 to 6 filing their objections and producing documents. Once order are passed by the Panchayat on the licence application, the same will be communicated to respondents 4 to 6 also.

The Writ Petition is disposed of as above.

srd **PIUS C.KURIAKOSE, JUDGE**